

PETITION FOR ZONING VARIANCE. 85-101-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1 B02.3a (211.31) to permit a side yard set back of 1' instead of the required 8' and a sum of side yard set backs of 12' instead of the required 20'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) The owner has developed a problem with his back and desires to add a 12'x24' open carport, so that his car will be protected from the weather and so that he can have protected access to his car.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Attorney's Telephone No.:

Legal Owner(s):
Zell C. Hurwitz
(Type or Print Name)
Signature
Myrna Hurwitz
(Type or Print Name)
Signature
6724 Chokeberry Road 486-4055
Address Phone No.
Baltimore, Maryland 21209
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Zell C. Hurwitz
Name
4 E. Franklin St. 727-4415
Address Phone No.
21202

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of August, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of October, 1984, at 9:45 o'clock A.M.

Carl J. Jolly
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

RECEIVED



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 8-14-84
Item # 33
Property Owner: Zell C. Hurwitz, et ux
Location: N/S Chokeberry Rd.
W of Darwood Drive

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ Parking calculations must be shown on the plan.
- ☐ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board on landscaping should be provided on this site and shown on the plan.
- ☐ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☐ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments:

Eugene A. Bober
Eugene A. Bober
Chief, Current Planning and Development

cc: James Howell

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: September 24, 1984
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
Zoning Petition Nos. 85-97-A,
SUBJECT: 85-100-A, 85-101-A, and 85-102-A

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 5, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Zell C. Hurwitz
6724 Chokeberry Road
Baltimore, Maryland 21209

ooo
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

RE: Case No. 85-101-A (Item No. 33)
Petitioner - Zell C. Hurwitz, et ux
Variance Petition

Dear Mr. & Mrs. Hurwitz:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures

cc: David S. Hyman & Assoc.
2622 Maryland Avenue
Baltimore, Maryland 21218

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

August 31, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #33 (1984-1985)
Property Owner: Zell C. Hurwitz, et ux
N/S Chokeberry Rd. 239.09' W. of Darwood Dr.
Acres: 185/118 x 154.48/123.11
District: 3rd

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holding downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

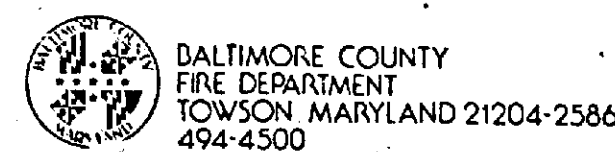
Very truly yours,
Robert S. Benson
ROBERT S. BENSON, P.E., Asst. Chief
Bureau of Public Services

GSB:EAM:DBS:iss

FEB 28 1985

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



PAUL H. REINCKE
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Zell C. Hurwitz, et ux

Location: N/S Chokeberry Road 239.09' W. of Darwood Drive

Item No.: 33 Zoning Agenda: Meeting of August 14, 1984

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

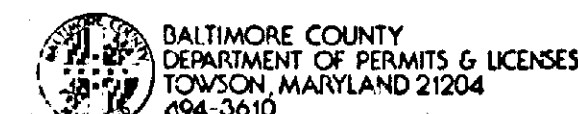
() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/mjb/cm

August 14, 1984



TO: JAMES R.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 33 Zoning Advisory Committee Meeting are as follows:

Property Owner: Zell C. Hurwitz, et ux

Location: N/S Chokeberry Road 239.09' W. of Darwood Drive

Existing Zoning: D-5

Proposed Zoning: Variance to permit a side yard setback of 1' in lieu of the required 8' and a sun of side yard setbacks of 12' in lieu of the required 20'.

Area: 185/118 x 154.18/123.11

District: 3rd.

The items checked below are applicable:

() All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Radiosignal and Aged; and other applicable Codes.

(X) A building/ & other miscellaneous permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 1007 and Table 1002, also Section 502.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, then the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

I. Comments - Any supporting members closer than 3'-0" to the property line shall be 1 hour rated construction. See Section R-203 of the One and Two Family Code.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

[Signature]
Charles E. Burnham, Chief
Plans Review

CEB:es

August 29, 1984

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
N/S of Chokeberry Rd., 239.09' : OF BALTIMORE COUNTY
W of Darwood Dr. (6724 Chokeberry :
Rd.), 3rd District

ZELL C. HURWITZ, et ux, : Case No. 85-101-A
Petitioners :

ENTRY OF APPEARANCE

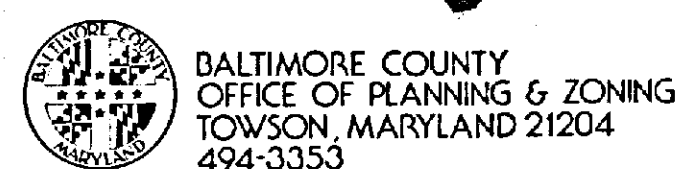
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 25th day of September, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Zell C. Hurwitz, 6724 Chokeberry Rd., Baltimore, MD 21209, Petitioners.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

October 19, 1984

Mr. Zell C. Hurwitz
4 East Franklin Street
Baltimore, Maryland 21209

RE: Petition for Variances
N/S of Chokeberry Rd., 239.09' W of
Darwood Dr. (6724 Chokeberry Rd.)
3rd Election District
Zell C. Hurwitz, et ux - Petitioners
No. 85-101-A (Item No. 33)

Mr. Hurwitz:

"I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

[Signature]
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: People's Counsel

September 17, 1984

Mr. and Mrs. Zell C. Hurwitz
6724 Chokeberry Road
Baltimore, Maryland 21209

NOTICE OF HEARING

RE: Petition for Variances
N/S of Chokeberry Road, 239.09' W of
Darwood Drive (6724 Chokeberry Road)
Zell C. Hurwitz, et ux - Petitioner
Case No. 85-101-A

TIME: 9:45 A.M.

DATE: Tuesday, October 15, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
re County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 133019

DATE: 9-3-84 ACCOUNT: R-61-615-070

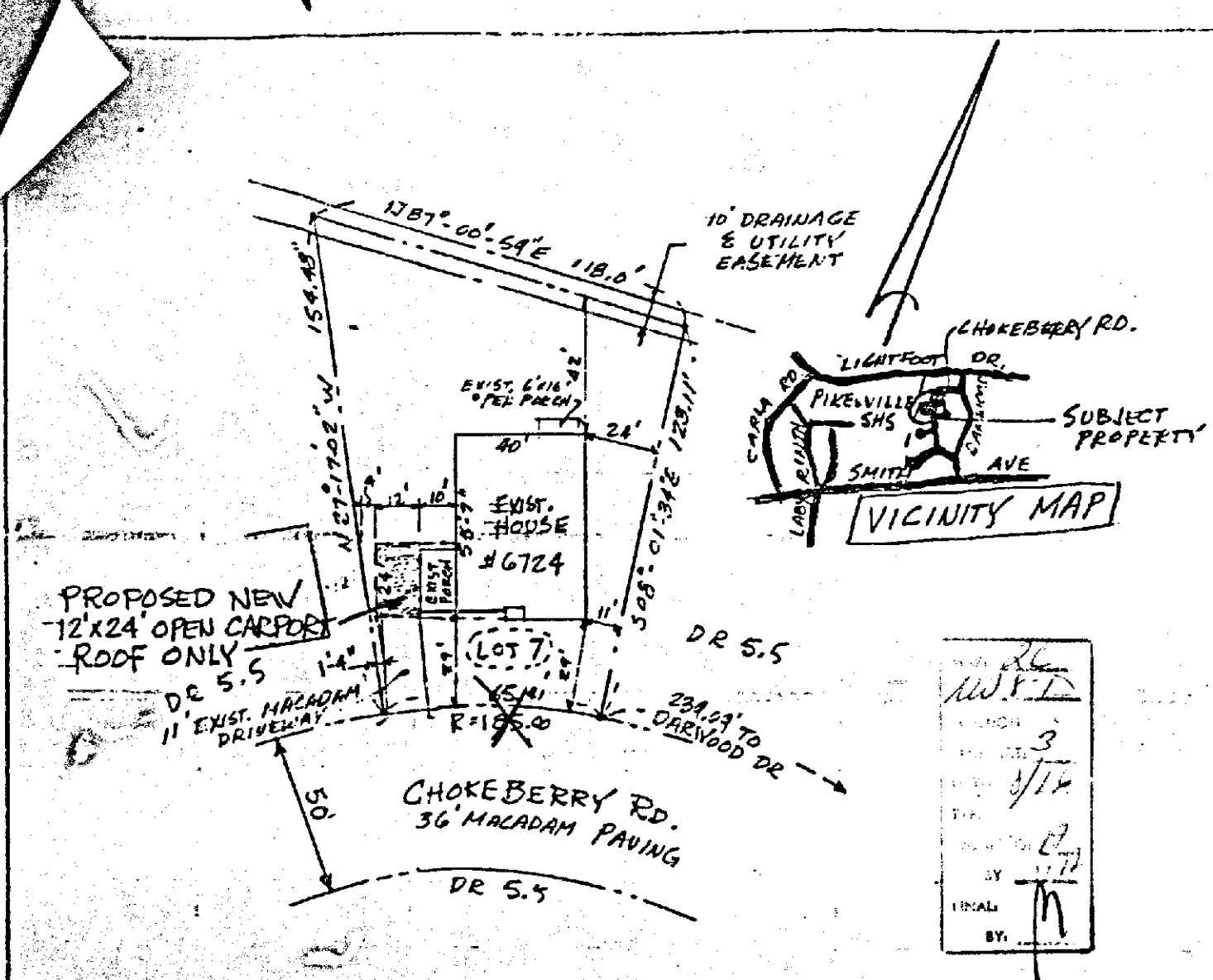
AMOUNT: 35.00

RECEIVED FROM: [Signature]

FOR: [Signature]

0 040*****35001a 6032F

VALIDATION OR SIGNATURE OF CASHIER



SITE DEVELOPMENT PLAN for ZONING VARIANCE

OWNER: MR. & MRS. ZELL HURWITZ

DISTRICT 3 ZONED DR 5.5

SUBDIVISION: WELLMOOD, SECTION 3

LOT 7 BLOCK C BOOK GLB 24, FOLIO 99

SCALE: 1"=50'

BALTIMORE COUNTY, MD.

NOTE: THIS IS A SURVEY FILE

DAVID S. HYMAN & ASSOCIATES
ARCHITECTS, ENGINEERS, PLANNERS
2322 MARYLAND AVENUE
BALTIMORE, MARYLAND 21218
APRIL 24, 1983

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 3rd

Posted for: [Signature]

Petitioner: Zell C. Hurwitz, et ux

Location of property: N/S of Chokeberry Road, 239.09' W of

Darwood Drive (6724 Chokeberry Road)

Location of Sign: [Signature]

Remarks:

Posted by: [Signature]

Number of Sign: 1

Date of return: 10-5-84

FEB 28 1985

PETITION FOR VARIANCES

LOCATION: North side of Chokeberry Road, 239.09' West of Darwood Drive (6724 Chokeberry Road)
 PUBLIC HEARING: Tuesday, October 16, 1984 at 9:45 a.m.
 Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204

CERTIFICATE OF PUBLICATION

TO CERTIFY, that the annexed advertisement published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore Maryland before the 16th day of Sept. 1984, first publication appearing on the 26th day of Sept. 1984, the second publication appearing on the day of 1984, the third publication appearing on the day of 1984.

THE NORTHWEST STAR

John H. Helling
 Manager

Cost of Advertisement \$22.00



BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JABLON
 ZONING COMMISSIONER

October 3, 1984

Mr. and Mrs. Zell C. Hurwitz
 6724 Chokeberry Road
 Baltimore, Maryland 21209
 RE: Petition for Variances
 N/S Chokeberry Rd., 239.09' W of
 Darwood Drive (6724 Chokeberry Road)
 Zell C. Hurwitz, et ux - Petitioners
 Case No. 85-101-A

Dear Mr. and Mrs. Hurwitz:

This is to advise you that \$47.00 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 134371

Arnold Jablon
 ZONING COMMISSIONER

DATE: Oct. 16, 1984 ACCOUNT: R-01-615-000

AMOUNT: \$47.00

RECEIVED Zell C. Hurwitz
 FROM: Advertising and Posting of Case No. 85-101-A

6 015*****470016 5185F

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCES

3rd Election District

LOCATION: North side of Chokeberry Road, 239.09 feet West of Darwood Drive (6724 Chokeberry Road)

DATE AND TIME: Tuesday, October 16, 1984 at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a side yard setback of 1 foot instead of the required 8 feet and a sum of the side yard setbacks of 12 feet instead of the required 20 feet.

Being the property of Zell C. Hurwitz, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
 ARNOLD JABLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD. September 27, 1984
 THIS IS TO CERTIFY, that the annexed advertisement published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on September 27, 1984.

THE JEFFERSONIAN,

John B. Venturi
 Publisher

Cost of Advertising 20.00

85-101-A

RE: PETITION FOR VARIANCES
 N/S of Chokeberry Rd., 239.09' W
 of Darwood Dr. (6724 Chokeberry Rd.)
 3rd Election District
 Zell C. Hurwitz, et ux - Petitioners
 No. 85-101-A (Item No. 33)

The petitioners herein request a variance to permit a side yard setback of one foot in lieu of the required eight feet and a sum of side yard setbacks of 12 feet in lieu of the required 20 feet. However, at the onset of the hearing a motion was made to amend the petition to read:

"hereby Petition for a Variance from Section 1802.3B(2)(1.3) 301.1 to permit a side yard setback of one foot in lieu of the permitted six feet"

The motion was granted and the petition is so amended.

Testimony indicated that the petitioners plan to add a 12'x24' open carport to the existing dwelling.

No one appeared at the hearing in opposition to the requested petition.

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioners and the granting of a variance would not adversely affect the health, safety, and general welfare of the community, a variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 19th day of October, 1984, that a variance to permit a side yard setback of one foot in lieu of the permitted six feet for the expressed purpose of constructing an open carport, in accordance with the site plan, prepared by David S. Hyman and Associates, dated April 29, 1983, is GRANTED, from and after the date of this Order subject to the following:

1. Water run-off for the proposed carport shall be directed away from the adjoining property.

John M. H. Jones
 Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE: October 19, 1984

BY: *May Carpenter*
 ASSISTANT TO THE ASSISTANT

FOSTER AND KLEISER

A METROMEDIA COMPANY
 3000 BOWINGDON AVENUE
 BALTIMORE, MARYLAND 21201
 (410) 238-0800

October 12, 1984

Arnold Jablon, Esq.
 Baltimore County Zoning Commissioner
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Md. 21204

Re: 6724 Chokeberry Road

Dear Mr. Jablon:

I'm writing this letter to you in opposition to the proposed variance for the purpose of building a carport alongside the existing porch structures.

This carport will be within approximately 12' of my home and bedroom windows. It will certainly block the light and air on that side of my house. I am enclosing photographs which show that this "Open Carport, Roof Only" already has an existing wall which was recently erected.

This additional extension to prior extensions to the house will certainly have a depreciating effect on my property. I am also concerned about the lighting which may be used on the carport. Existing lights on the present porch already are an annoyance. Additional lights will certainly cause greater hardship.

I would respectfully request that this variance, which would put the new construction to the very edge of my property line, be denied.

Very truly yours,

Philip Kershner
 Philip Kershner
 Vice President/Regional Manager

PK/bk

SERVING MAJOR METROPOLITAN MARKETS THROUGHOUT THE UNITED STATES.

